

Department of Veterans Affairs
Equal Employment Opportunity data Posted Pursuant to the No FEAR Act:
Internal Complaint Activity
Veterans Health Administration

29 CFR §1614.704(a) - (c)		29 CFR §1614.705 Comparative Data				
Complaint Activity	3rd Quarter FY 2005					
		2004	2003	2002	2001	2000
Number of Complaints Filed in FY 1614.704(a)	1457	2011	2232	2258	2147	2467
Number of Complainants 1614.704(b)	1334	1831	2003	2042	1718	2220
Repeat Filers 1614.704(c)	103	180	229	216	229	247

29 CFR §1614.704(d)		29 CFR §1614.705 Comparative Data				
Complaints by Basis	3rd Quarter FY 2005	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Race	529	643	1013	806	1196	1304
Color	32	71	47	70	-	-
Religion	45	51	31	36	88	144
National Origin	101	96	177	80	98	233
Sex (including complaints filed under Equal Pay Act)	329	506	748	635	1121	1258
Disability	370	420	514	618	643	758
Age	291	471	340	280	240	327
Reprisal	492	688	711	740	1028	1055
Other	50	0	0	0	0	0

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29 CFR §1614.704(e)		29 CFR §1614.705 Comparative Data				
Complaints by Issue	3rd Quarter FY 2005	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Appointment/Hire	45	100	56	77	166	199
Assignment of Duties	98	154	190	188	348	451
Awards	18	23	46	40	39	55
Conversion to Full-time	6	4	4	4	7	4
Disciplinary Action	241	500	602	485	319	539
Demotion	5	10	18	18	43	88
Reprimand	30	48	46	36	128	178
Suspension	55	86	103	87	116	159
Removal	64	181	325	301	32	0
Other	87	175	110	43	0	114
Duty Hours	40	60	72	63	100	123
Evaluation Appraisal	39	64	67	55	100	111
Examination/Test	5	6	12	11	23	18
Harassment	542	1039	1462	1296	1403	1424
Non-Sexual	504	994	1375	1208	1298	1349
Sexual	38	45	87	88	105	75
Medical Examination	4	1	5	5	19	0
Pay (Including Overtime)	68	51	57	73	27	19
Promotion/Non-Selection	306	619	742	692	925	1036
Reassignment	60	85	131	117	116	140
Denied	54	15	21	19	22	27
Directed	6	70	110	98	94	113
Reasonable Accommodation	90	82	132	145	90	58
Reinstatement	2	5	11	4	9	32
Retirement	22	12	22	24	18	0
Termination	101	5	0	47	227	268
Terms/Conditions of Employment	43	171	200	187	353	378
Time and Attendance	122	41	176	163	211	224
Training	39	66	62	51	156	147
Other	228	0	12	0	0	0

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29 CFR §1614.704(f)													
Processing Time "...post the average length of time it takes to complete each step of the process for every complaint that is pending during any time of the then fiscal year..."		3rd Quarter FY 2005		Previous Fiscal Year Data									
				Number	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days	Num.	Ave. Days
				2004		2003		2002		2001		2000	
All complaints pending in Investigative Stage	1614.704	474	115.3	687	73	1049	130	1741	125	1095	153	1668	270
All complaints pending in Final Agency Action Stage	(f) (1)	167	300	584	399	236	418	253	349	369	289	327	330
All complaints pending in which Hearing was not requested	1614.704	501	245	554	313	NA	NA	NA	NA	NA	NA	NA	NA
Time in Investigation Stage	(f) (2)	501	158	554	226	NA	NA	NA	NA	NA	NA	NA	NA
Time to issue Final Agency Action		501	87 *	554	77*	NA	NA	NA	NA	NA	NA	NA	NA
All complaints pending in which a Hearing was requested	1614.704	380	167	492	238	NA	NA	NA	NA	NA	NA	NA	NA
Time in Investigation Stage	(f) (3)	380	159	492	221	NA	NA	NA	NA	NA	NA	NA	NA
Time to issue Final Agency Action		380	8	492	17	485	19	448	20	419	19	267	21
* This figure includes an average delay in getting the file to the Department's adjudication office (OEDCA) in VA's Central Office of19 days; said delay computed from the start of the Final Action Stage [see Sec. 1614.702(g)] to receipt of the investigative file in OEDCA.													

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29 CFR §1614.704(g)		29 CFR §1614.705 Comparative Data					
Complaints Dismissed by Agency Pursuant to 1614.107(a)	3rd Quarter FY 2005	Previous Fiscal Year Data					
		2004	2003	2002	2001	2000	
Total Complaints Dismissed by Agency	296	433	402	487	437	538	
Average days pending prior to dismissal	58.6	72.8	82.99	88.25	90.8	163.62	

29 CFR §1614.704(h)			29 CFR §1614.705 Comparative Data									
Total Final Agency Actions Finding Discrimination	3rd Quarter FY 2005		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(h)(1)	26		34		41		46		43		22	
Without Hearing 704(h)(2)	10	38%	12	35%	10	24%	8	17%	16	37%	11	50%
With Hearing 704(h)(3)	16	62%	22	65%	31	76%	38	83%	27	63%	11	50%

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29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	3rd Quarter FY 2005		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	28		46		58		62		53		26	
Number Findings Rendered Without Hearing 704(i)(2)	9		13		17		9		17		12	
Race	0	0%	0	0%	2	3%	0	0%	3	6%	1	4%
Color	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Religion	0	0%	0	0%	2	3%	0	0%	0	0%	0	0%
National Origin	0	0%	0	0%	1	2%	0	0%	0	0%	0	0%
Sex (include Equal Pay Act)	2	7%	2	4%	5	9%	2	3%	4	8%	1	4%
Disability	6	21%	7	15%	2	3%	4	6%	5	9%	5	19%
Age	0	0%	0	0%	2	3%	1	2%	1	2%	1	4%
Reprisal	1	4%	4	9%	3	5%	2	3%	4	8%	4	15%

29 CFR §1614.704(i)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Basis	3rd Quarter FY 2005		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(i)(1)	28		46		58		62		53		26	
Number Findings Rendered After Hearing 704(i)(3)	19		33		41		53		36		14	
Race	6	21%	10	22%	5	9%	12	19%	7	13%	3	12%
Color	2	7%	0	0%	1	2%	0	0%	0	0%	0	0%
Religion	0	0%	0	0%	1	2%	0	0%	0	0%	1	4%
National Origin	2	7%	1	2%	1	2%	3	5%	2	4%	0	0%
Sex (include Equal Pay Act)	2	7%	4	9%	12	21%	9	15%	10	19%	1	4%
Disability	1	4%	8	17%	8	14%	8	13%	5	9%	3	12%
Age	0	0%	2	4%	2	3%	4	6%	5	9%	2	8%
Reprisal	6	21%	8	17%	11	19%	17	27%	7	13%	4	15%

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29 CFR §1614.704(j)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Issue	3rd Quarter FY 2005		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(j)(1)	30		46		57		65		47		27	
Findings Without Hearing 704(j)(2)	12		14		19		12		18		14	
Appointment/Hire	1	3%	1	2%	0	0%	0	0%	2	4%	0	0%
Assignment of Duties	0	0%	1	2%	0	0%	0	0%	0	0%	0	0%
Awards	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Conversion to Full-time	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Disciplinary Action	0	0%	1	2%	2	4%	1	2%	0	0%	1	4%
Demotion	0	0%	0	0%	1	2%	0	0%	0	0%	0	0%
Reprimand	0	0%	0	0%	1	2%	1	2%	0	0%	1	4%
Suspension	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Removal	0	0%	1	2%	0	0%	0	0%	0	0%	0	0%
Other	0	0%	2	4%	0	0%	0	0%	0	0%	0	0%
Duty Hours	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Evaluation Appraisal	0	0%	0	0%	1	2%	0	0%	0	0%	0	0%
Examination/Test	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Harassment	1	3%	3	7%	5	9%	1	2%	4	9%	1	4%
Non-Sexual	0	0%	2	4%	4	7%	0	0%	1	2%	1	4%
Sexual	1	3%	1	2%	1	2%	1	2%	3	6%	0	0%
Medical Examination	1	3%	0	0%	0	0%	0	0%	0	0%	0	0%
Pay (Including Overtime)	0	0%	0	0%	0	0%	1	2%	0	0%	0	0%
Promotion/Non-Selection	1	3%	0	0%	1	2%	2	3%	5	11%	5	19%
Reassignment	0	0%	0	0%	1	2%	0	0%	0	0%	0	0%
Denied	0	0%	0	0%	1	2%	0	0%	0	0%	0	0%
Directed	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Reasonable Accommodation	4	13%	2	4%	4	7%	3	5%	1	2%	3	11%
Reinstatement	0	0%	0	0%	0	0%	0	0%	0	0%	1	4%
Retirement	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Termination	3	10%	2	4%	2	4%	1	2%	1	2%	3	11%
Terms/Conditions of Employment	0	0%	1	2%	3	5%	3	5%	5	11%	1	4%
Time and Attendance	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

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Training	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Other	1	3%	1	2%	0	0%	0	0%	0	0%	0	0%

29 CFR §1614.704(j)			29 CFR §1614.705 Comparative Data									
Findings of Discrimination Rendered by Issue	3rd Quarter FY 2005		Previous Fiscal Year Data									
			2004		2003		2002		2001		2000	
	#	%	#	%	#	%	#	%	#	%	#	%
Total Number Findings 704(j)(1)	30		46		57		65		47		27	
Findings After Hearing 704(j)(3)	18		32		38		53		29		13	
Appointment/Hire	0	0%	1	2%	1	2%	1	2%	3	6%	1	4%
Assignment of Duties	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Awards	1	3%	0	0%	0	0%	0	0%	0	0%	0	0%
Conversion to Full-time	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Disciplinary Action	1	3%	1	2%	2	4%	4	6%	0	0%	1	4%
Demotion	0	0%	0	0%	1	2%	0	0%	0	0%	0	0%
Reprimand	0	0%	1	2%	1	2%	3	5%	0	0%	1	4%
Suspension	0	0%	1	2%	0	0%	1	2%	0	0%	0	0%
Removal	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Other	1	3%	0	0%	0	0%	0	0%	0	0%	0	0%
Duty Hours	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Evaluation Appraisal	0	0%	0	0%	2	4%	0	0%	0	0%	0	0%
Examination/Test	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Harassment	3	10%	7	15%	9	16%	12	18%	6	13%	1	4%
Non-Sexual	2	7%	7	15%	7	12%	9	14%	3	6%	1	4%
Sexual	1	3%	0	0%	2	4%	3	5%	3	6%	0	0%
Medical Examination	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Pay (Including Overtime)	0	0%	0	0%	7	12%	1	2%	1	2%	0	0%
Promotion/Non-Selection	4	13%	5	11%	9	16%	16	25%	8	17%	4	15%
Reassignment	1	3%	0	0%	0	0%	1	2%	0	0%	1	4%
Denied	0	0%	0	0%	0	0%	1	2%	0	0%	1	4%
Directed	1	3%	0	0%	0	0%	0	0%	0	0%	0	0%
Reasonable Accommodation	1	3%	5	11%	5	9%	6	9%	3	6%	1	4%
Reinstatement	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Retirement	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Termination	4	13%	2	4%	2	4%	2	3%	3	6%	1	4%
Terms/Conditions of Employment	0	0%	2	4%	1	2%	10	15%	5	11%	3	11%
Time and Attendance	3	10%	2	4%	0	0%	0	0%	0	0%	0	0%

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Training	0	0%	1	2%	0	0%	0	0%	0	0%	0	0%
Other	0	0%	5	11%	0	0%	0	0%	0	0%	0	0%

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29 CFR §1614.704(k)		29 CFR §1614.705 Comparative Data					
Complaints Pending From Previous Fiscal Years by Status	3rd Quarter FY 2005	Previous Fiscal Year Data					
		2004	2003	2002	2001	2000	
Total complaints from previous Fiscal Years 704(k)(1)	903	899	3122	3995	4045	3974	
Total Complainants 704(k)(2)	758	792	NA*	NA*	NA*	NA*	
Number complaints pending [as of 3/31]: 704(k)(3)							
Investigation	14	7	1049	1741	1095	1688	
ROI issued, pending Complainant's action	12	55	NA*	NA*	NA*	NA*	
Hearing	760	696	1572	1619	1811	1696	
Final Agency Action	117	141	236	253	369	327	
Appeal with EEOC Office of Federal Operations	NA*	NA*	NA*	NA*	NA*	NA*	
*Do not track							

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29 CFR §1614.704(I)		29 CFR §1614.705 Comparative Data				
Complaint Investigations	3rd Quarter	Previous Fiscal Year Data				
		2004	2003	2002	2001	2000
Number Pending Completion of Investigation	313	687	1049	1741	1095	1688
Pending Investigations Over Required Time Frames	36	15	NA*	NA*	NA*	NA*